

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JANET DAVIS, *et al.*,

Plaintiffs,

v.

Civil Action 2:19-cv-2477

Judge George C. Smith

Chief Magistrate Judge Elizabeth P. Deavers

GEICO CASUALTY COMPANY, *et al.*,

Defendants.

ORDER

On February 28, 2020, Attorney Michael R. Nelson filed a Motion to Withdraw Appearance (ECF No. 50) requesting to withdraw as co-counsel for Defendants GEICO Casualty Company, GEICO Advantage Insurance Company, and GEICO Choice Insurance Company (collectively, “GEICO”). Counsel’s Motion is ineffective because it fails to comply with Southern District of Ohio Local Civil Rule 83.4(c)(2), which provides:

A motion to withdraw shall meet the following requirements: (1) it must be served upon the client, and the certificate of service must so state; (2) it must assert that good cause, as defined by the Rules of Professional Conduct, exists to permit the withdrawal; and (3) it must be accompanied by an affidavit or other evidence supporting the assertion of good cause. If the evidence relied upon in support of the motion would be detrimental to the client’s interest if disclosed to the other parties, the withdrawing attorney shall move for an order that the evidence be submitted *ex parte* and *in camera*.

S.D. Ohio Civ. R. 83.4(c)(2).

Counsel’s Motion does not indicate it was served on the client and, moreover, does not indicate who will replace Mr. Nelson as lead trial attorney for GEICO.

Within seven (7) days of the date of this Order, counsel is **DIRECTED** to re-file the Motion in compliance with Local Rule 83.4 if he still wishes to withdraw.

IT IS SO ORDERED.

Date: March 2, 2020

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE